

**BOARD OF PAROLE HEARINGS**

**Executive Board Meeting**

**Tuesday, June 18, 2013**

**CLOSED SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Meeting Room  
Suite 550  
Sacramento, California 95814

NOTE START TIME:    **9:00 a.m.**

**DISCUSSION**

**Overview of Pending Litigation and Writs of Habeas Corpus**

Pursuant to Government Code section 11126(e)(1)

*(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)*

Discussion

1. *Gilman v. Brown*, Case No. 2:05-CV-00830 LKK, (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Donna Ferebee, Deputy Chief Counsel
2. *Valdivia v. Brown*, Case No. C-94-0671-LKK, (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Donna Ferebee, Deputy Chief Counsel

**For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.**

**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting**  
[http://www.cdcr.ca.gov/BOPH/meeting\\_agenda.html](http://www.cdcr.ca.gov/BOPH/meeting_agenda.html)  
**Tuesday, June 18, 2013**  
**OPEN SESSION**

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1515 K Street  
Executive Board Meeting Room  
Suite 550  
Sacramento, California 95814

NOTE START TIME:   **10:00 a.m.**

**AGENDA**

**MEETING CALLED TO ORDER**

**CONSENT CALENDAR**

1. Roll Call
2. Comments and Clarification regarding Board of Parole Hearings (BPH) Meeting  
Minutes:  
May 20-21, 2013
3. BPH Parole Suitability Hearings and Backlog Report
4. Public Comment on Consent Calendar – Comments are limited to five minutes.  
Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.

**REPORTS AND PRESENTATIONS**

5. Report from Executive Officer
6. Report from Chief Counsel
  - Finalization of Petition to Advance Forms

**EN BANC REFERRALS**

7. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

**A. DAVIS, KIRK**                      **T-28577**  
County of Commitment  
Tulare

**B. GORDON, EDWARD**              **H-89433**  
County of Commitment:  
Los Angeles

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**C. WISEMAN, CHARLES H-29147**  
County of Commitment:  
Riverside

8. Referral by the Chief Counsel pursuant to California Code of Regulations, Title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed five (5) minutes.

**D. ALI, MOHAMMAD C-74161**  
County of Commitment:  
Sutter  
**To consider the proposed term calculation.**

**E. DENHAM, JOE C-80297**  
County of Commitment:  
Sacramento  
**To consider whether the proposed decision is consistent with the Dec. 12, 2012 order of the First District Court of Appeal.**

**F. HASAN, AHMAD H-94609**  
County of Commitment  
Contra Costa  
**To consider whether the proposed decision is consistent with *In re Lawrence* (2008) 44 Cal. 4<sup>th</sup> 1181.**

**G. JONES, LINDA W-23920**  
County of Commitment  
Los Angeles  
**To comply with Penal Code section 3041.5 (a)(4).**

**H. SHROYER, BRUCE E-91099**  
County of Commitment:  
Los Angeles  
**To consider whether the proposed decision was based parole on an error of fact Regarding parole plans.**

9. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, Title 15, section 2044 to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

**I. GADSDEN, UNUSSUN T-73598**  
County of Commitment:  
Santa Clara

### **OPEN COMMENTS**

10. BPH Commissioners - Agenda Items for Future Meetings

11. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

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The decision in the above hearings will be posted no later than 4 p.m. in the lobby on the ground floor of 1515 K Street and also on the BPH internet page at the following address: [www.cdcr.ca.gov/BOPH/enbanc.html](http://www.cdcr.ca.gov/BOPH/enbanc.html).

**CLOSED SESSION – EN BANC CASES**

Pursuant to Government Code section 11126(c)(4)

*("...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.")*

**ADJOURNMENT**

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